

Attorney Docket Number: FSP0241  
Client Reference Number: 243264US  
Title: coaxial communication active tap device and distribution system  
Application Number: 10/805,226

-16-

#### REMARKS

In an Office Action mailed 09/03/2008, claims 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Base claims 1 and 22 have been amended to include the features that the Applicant, in his best understanding of the Office Action, believes the Examiner finds unique and distinguishing over the prior art. Various other amendments (to claims 9 and 17) have been made in support of these amendments. Therefore, the applicant believes that all claims are now in condition for allowance.

Claims 13 and 14 are objected to under 37 CFR 1.75 (c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. The Applicant respectfully disagrees. Claim 13 limits the plurality of first signal splitter output ports from claim 11 to two first signal splitter output ports. Claim 14 limits the plurality of second signal splitter output ports from claim 11 to two second signal splitter output ports.

Claims 1, 2, 6-8, 22, 23, 26-29, and 32 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Strull et al (US Pat. No.: 7,138,886) and further in view of Lee et al. (US Pat. No.: 5,485,630) and Tresness et al. (US Pat. No.: 5,999,796). Claims 3, 5, 24 and 26 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Strull in view of Lee as applied to claim 1 above, and further in view of Wyatt et al. (Pub. No.: 2004/0213532). Claims 9, 10, 15, 21, 30, 31, and 37 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Strull in view of Lee as applied to claim 1 above, and further in view of Kamiya (US Pat. No.: 6,785,908). Claims 11-14 and 32 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Strull in view of Lee and Kamiya as applied to claim 9 above, and further in view of Utsumi et al. (US Pat. No.: 5, 539, 657). Claims 18-20 and 33-36 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Strull in

Attorney Docket Number: FSP0241  
Client Reference Number: 243264US  
Title: coaxial communication active tap device and distribution system  
Application Number: 10/805,226

-17-

view of Lee as applied to claim 1 above, and further in view of Gresko et al. (US Pat. No.: 7, 086, 078).

All of these rejections are overcome, the Applicant believes, by the amendments to Claims 1 and 22, which now include features that, as the Applicant best understands, the Examiner found unique over the prior art. The Applicant respectfully requests that the application should now be allowed.

Respectfully submitted,

Signature /Charles A. Mirho/

Date: 12/03/2008

Charles A. Mirho

Reg. 41,199

Attorney for Applicant

Address all correspondence to:

FSP LLC

Attn: Charles A Mirho

P.O. Box 890

Vancouver, WA 98666-0890

USA

Phone: 360-737-1748

Fax: 360-294-6426